

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

IN RE: A GENERAL ORDER)
OF THE COURT) General Order No. 2009-9A
)

ORDER

Pursuant to a Motion to Rescind Existing Collateral Schedule and to Adopt New Collateral Schedule for United States Fish and Wildlife Service filed by the United States, the Court now GRANTS same.

IT IS HEREBY ORDERED that the collateral schedule for United States Fish and Wildlife Service, attached hereto and marked as Exhibit A, is hereby adopted.

ENTERED: December 8, 2009

/s/ Robert L. Miller, Jr.
Robert L. Miller, Jr., Chief Judge

/s/ James T. Moody
James T. Moody, Senior Judge

/s/ William C. Lee
William C. Lee, Judge

/s/ Rudy Lozano
Rudy Lozano, Judge

/s/ Philip P. Simon
Philip P. Simon, Judge

/s/ Theresa L. Springmann
Theresa L. Springmann, Judge

/s/ Joseph S. Van Bokkelen
Joseph S. Van Bokkelen, Judge



Forfeiture of Collateral

UNITED STATES FISH AND WILDLIFE SERVICE

NOTE: Due to increased liability and potential severity for environmental degradation posed by commercial and organized activities, the collateral amounts for violations listed herein shall be doubled for violations committed by organizations. As used herein, the term "organization" includes a corporation, government or government agency, business, trust, estate, partnership, association, club, hunting club, or any other legal entity where two or more persons have a joint or common interest.

Where "+" is noted after the collateral amount, restitution may be added to the collateral amount. Refer to the valuation table to determine restitution amounts.

STATUTORY PENALTIES

10 U.S.C. § 2671(a)

HUNTING, FISHING & TRAPPING ON MILITARY RESERVATIONS

10 U.S.C. § 2671(a) Violation of state statutes for hunting, fishing, and trapping while on military reservation.....\$500.00 +

16 U.S.C. §§ 431- 433

AMERICAN ANTIQUITIES ACT

16 U.S.C. § 433 Appropriate, excavate, injure, or destroy any historic or pre-historic ruin or monument, or any object of antiquity.....\$2,000.00 +

16 U.S.C. §§ 460k-460k-4

REFUGE RECREATION ACT

16 U.S.C. § 460k-3 The Secretary may establish reasonable charges and fees and issue permits for public use of refuges, game ranges and hatcheries.....\$250.00

16 U.S.C. § 470aa et seq.

ARCHAEOLOGICAL RESOURCES PROTECTION ACT

16 U.S.C. § 470ee (a) Knowingly excavate, remove, damage, alter, deface, or the attempt thereof,



any archaeological resource on public or Indian lands without a permit or exception.....\$2,000.00 +

(b) Sell, purchase, exchange, transport, receive, or offer for sell, purchase, or exchange and archaeological resource that was removed from public lands or Indian lands.....\$1,000.00 +

(c) Trafficking in interstate or foreign commerce in archaeological resources where the removal, sale, purchase, exchange, transport, or receipt is in violation of State or local law.....\$1,000.00 +

16 U.S.C. § 668

BALD AND GOLDEN EAGLE PROTECTION ACT

16 U.S.C. § 668(a) Take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import any bald eagle, or any golden eagle, or any part, egg, or nest thereof, or violate any permit or regulation.....\$2,500.00 +

16 U.S.C. § 668dd

NATIONAL WILDLIFE REFUGE ADMINISTRATION ACT

16 U.S.C. § 668dd Knowingly disturb, injure, cut, burn, remove, destroy, or possess any real or personal property of the United States, take or possess any fish, bird, or other vertebrate or invertebrate animal, or part or nest thereof, enter, use, or otherwise occupy any such area.....\$500.00 +
Wildlife Conservation Easements Contracts violations.....\$500.00 +

16 U.S.C. §§ 703-711

MIGRATORY BIRD TREATY ACT

16 U.S.C. § 703 Taking, pursuing, hunting capturing, killing, or the attempt thereof; possess, sell, barter, purchase, ship, export, import, carry, transport, offer or cause thereof, migratory birds, their parts, nests, or eggs, except as may be permitted.....\$500.00 +

16 U.S.C. § 704 (b)(1) Take any migratory game bird by the aid of baiting, or on or over any baited area, where person knows or reasonably should have known that the area is baited\$500.00 +

(b)(2) Place or direct the placement of bait on or adjacent to an area for the purpose of causing, inducing, or allowing any person to take or attempt to take any migratory game bird by the aid of baiting on or over the baited area\$1,000.00 +

16 U.S.C. § 705 Ship, transport, carry in interstate or foreign commerce, any bird, part, nest, or egg thereof, captured, killed, taken, shipped, transported, or carried contrary to law of the place where captured, killed, taken, shipped, transported or carried.....\$500.00 +

16 U.S.C. §§ 718a-718k

MIGRATORY WATERFOWL HUNTING AND CONSERVATION STAMP ACT

16 U.S.C. § 718a Hunt migratory waterfowl without a federal waterfowl stamp.....\$150.00

16 U.S.C. § 718b Hunt migratory waterfowl with an invalid (unsigned) federal waterfowl stamp.....\$75.00

16 U.S.C. § 718e(a) Loan or transfer a valid migratory waterfowl stamp to another person or use stamp validated by another.....\$250.00

16 U.S.C. § 718e(b) Alter, mutilate, imitate, or counterfeit migratory waterfowl stamp.....\$500.00

16 U.S.C. § 742j-1

AIRBORNE HUNTING ACT

16 U.S.C. § 742j-1 While airborne in aircraft, shoot, attempt to shoot, capture, kill any bird, fish or other animal.....\$2,500.00 +

16 U.S.C. §§ 1361-1407

MARINE MAMMAL PROTECTION ACT

16 U.S.C. §1372(a) Unlawful take of a marine mammal.....\$2,500.00 +

16 U.S.C. §1372(b) Unlawful importation or inhumane taking.....\$2,000.00 +

16 U.S.C. §1372(c)(1) Unlawful importation of illegally taken marine mammal.....\$2,500.00 +

16 U.S.C. § 1372(c)(2) Unlawful importation of marine mammal product.....\$1,000.00 +

16 U.S.C. § 1372(c)(3) Unlawful importation of fish.....\$1,000.00 +

16 U.S.C. § 1538

ENDANGERED SPECIES ACT

- 16 U.S.C. § 1538(a)(1)(A) Import or export any endangered fish or wildlife.....\$2,500.00 +
- 16 U.S.C. § 1538(a)(1)(B) Take within the United States or territorial sea.....\$2,500.00 +
- 16 U.S.C. § 1538(a)(1)(C) Take upon high seas.....\$2,500.00 +
- 16 U.S.C. § 1538(a)(1)(D) Possess, sell, deliver, carry, transport, or ship species taken in violation of subparagraphs (B) or (C).....\$2,500.00 +
- 16 U.S.C. § 1538(a)(1)(E) Deliver, receive, carry, transport, or ship in interstate or foreign commerce, in the course of a commercial activity\$2,500.00 +
- 16 U.S.C. § 1538(a)(1)(F) Sell or offer for sale in interstate or foreign commerce.....\$2,500.00 +
- 16 U.S.C. § 1538(a)(1)(G) Violate any regulation promulgated by the Secretary for threatened species.....\$1,500.00 +
- 16 U.S.C. § 1538(a)(2)(A) Violate regulations regarding endangered plant thru (a)(2)(D) species.....\$1,500.00 +
- 16 U.S.C. § 1538(a)(2)(E) Violate any regulation pertaining to threatened plants.....\$500.00 +
- 16 U.S.C. § 1538(c) Violate the Convention on International Trade for appendix listed wildlife, fish or plants.....\$1,000.00 +
- 16 U.S.C. § 1538(d) Engage in business as an importer/exporter without permission from the Secretary.....\$1,000.00 +
- 16 U.S.C. § 1538(e) Fail to file declaration or report by persons importing or exporting fish or wildlife products or plants.....\$750.00 +
- 16 U.S.C. § 1538(f) Violate designated port requirements.....\$750.00 +

16 USC §§ 3371-3378

LACEY ACT AMENDMENTS

- 16 U.S.C. § 3372(a)(1) Import, export, transport, sell, receive, acquire, or purchase, any fish, wildlife, or plant taken, possessed, transported, or sold in violation of any law, treaty or regulation of the United States, or in violation of any Indian tribal law.....\$1,500.00 +
- 16 U.S.C. § 3372(a)(2) Import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce,
- (A) any fish or wildlife, taken, possessed, transported, or sold in violation of any law or regulation of any State, or in violation of any foreign law.....\$1,500.00 +
- (B) any plant taken, possessed, transported, or sold in violation of any law or regulation of any State.....\$500.00 +
- 16 U.S.C. § 3372(a)(3) Within the special maritime and territorial jurisdiction of the United States (as defined by 18 U.S.C. 7)
- (A) possess any fish or wildlife taken, possessed, transported, or sold in violation of any law or regulation of any State, or in violation of any foreign law or Indian tribal law.....\$1,500.00 +
- (B) possess any plant taken, possessed, transported or sold in violation of any law or regulation of any State\$500.00 +
- 16 U.S.C. § 3372(a)(4) Attempt to commit any act described in paragraphs (1) through (3).....Same as defined offense
- 16 U.S.C. § 3372(c) Sale and purchase of guiding and outfitting services and invalid licenses and permits. It shall be deemed to be a sale of fish or wildlife in violation of this Act,
- (1)(A) to provide guiding, outfitting, or other services for money or other consideration, for the illegal taking, acquiring, receiving, transporting, or possessing of fish or wildlife.....\$2,000.00 +
- (1)(B) to provide a hunting or fishing license or permit for the illegal taking, acquiring, receiving, transporting, or possessing of fish or wildlife.....\$1,500.00 +

It shall be deemed to be a purchase of fish or wildlife in violation of this

Act,

(2)(A) to obtain for money or other consideration guiding, outfitting, or other services for the illegal taking, acquiring, receiving, transporting, or possessing of fish and wildlife.....\$2,000.00 +

(2)(B) to obtain for money or other purposes a hunting or fishing license or permit for the illegal taking, acquiring, receiving, transporting, or possessing of fish and wildlife\$1,500.00 +

16 U.S.C. § 3372(d)

Make or submit any false record, account or label for, or any false identification of any fish, wildlife, or plant which has been or is intended to be

(1) imported, exported, transported, sold, purchased, or received from any foreign country.....\$1,500.00 +

(2) transported in interstate or foreign commerce\$1,500.00 +

16 USC §§ 4201-4225

AFRICAN ELEPHANT CONSERVATION ACT

16 U.S.C. § 4223

(1) import raw ivory from any country other than ivory producing country.....\$1,500.00 +

(2) export raw ivory from the United States.....\$1,500.00 +

(3) import raw and worked ivory that was exported from an ivory producing country in violation of that country’s laws or of the CITES ivory control system.....\$1,500.00 +

(4) import worked ivory, other than personal effects, from any country unless certified from legal sources.....\$1,500.00 +

(5) import raw or worked ivory from a country for which a moratorium is in effect under Section 2202.....\$2,000.00 +

16 USC § 4306

CAVE RESOURCES PROTECTION ACT

16 U.S.C. § 4306

Without authorization, knowingly destroy, disturb, deface, mar, alter, remove or

harm any significant cave or the free movement of any animal or plant life into or out of any significant cave located on Federal land, or enters with the intention of committing the listed acts.....\$1,000.00 +

16 U.S.C. §§ 5301-5306

RHINO AND TIGER CONSERVATION ACT

16 U.S.C. § 5305(a) Sell, import, or export, any product, item, or substance intended for human consumption or application containing, or labeled or advertised as containing, any substance derived from any species of rhinoceros or tiger.....\$500.00 +

18 U.S.C. § 13

ASSIMILATIVE CRIMES ACT

18 U.S.C. § 13 Violation of state statutes on land administrated by FWS.....\$300.00 +

18 U.S.C. § 42

LACEY ACT

18 U.S.C. § 42(a)(1) Importation, shipment, possession, of injurious wildlife.....\$1,000.00 +

18 U.S.C. § 42(c) Importation of wildlife under inhumane or unhealthful condition.....\$1,500.00 +

18 U.S.C. § 1165

INDIANS-HUNTING, FISHING OR TRAPPING ON INDIAN LANDS

18 U.S.C. § 1165 Willfully and knowingly, without lawful authority or permission, go upon Indian land for the purpose of hunting, fishing, or the removal of game, peltries or fish there from.....\$250.00 +

18 U.S.C. § 1170 and 25 U.S.C. § 3001

NATIVE AMERICAN GRAVES PROTECTION ACT

18 U.S.C. § 1170(a) Knowingly sell, purchase, use for profit, or transport for sale or profit, the

human remains of a Native American without the right of possession to those remains.....\$2,500.00 +

18 U.S.C. § 1170(b) Knowingly sell, purchase, use for profit, or transport for sale or profit any Native American cultural items obtained unlawfully.....\$1,000.00 +

TITLE 50 - CODE OF FEDERAL REGULATIONS

PART 13 - GENERAL PERMIT REGULATIONS

13.41 Failure to maintain humane and healthful conditions for live wildlife possessed under a permit\$500.00 +
 13.43 Alteration of permit.....\$200.00
 13.45 Failure to file reports required by FWS permit.....\$200.00
 13.46 Failure to maintain records as required by permit..... \$200.00
 13.47 Failure to allow inspection of activity as authorized by FWS permit.....\$500.00
 13.1 thru end All other permit violations\$100.00

PART 14 - GENERAL REGULATIONS FOR IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE

14.11 Import or export wildlife at a non-designated port.....\$350.00
 14.14(b) Knowingly unload in transit shipment in U.S.....\$350.00
 14.31 thru 14.33 Violation of non-designated port permit conditions.....\$100.00
 14.51 Failure to allow detention/inspection of wildlife.....\$350.00
 14.52 Release from U.S. Customs without FWS clearance.....\$350.00
 14.54 Failure to provide 48 hr. notification.....\$350.00
 14.61 thru 14.63 Failure to file completed declaration as required.....\$350.00
 14.81 thru 14.82 Ship in interstate or foreign commerce without complying with marking requirements or alternatives.....\$100.00
 14.91 Engage in business as importer/exporter of wildlife without obtaining import/export license.....\$500.00
 14.103 Import, transport, cause or permit transport to the U.S. any wild mammal or bird in violation of Humane Transport Regulations.....\$500.00 +
 14.104 Failure to provide an English translation of required certificates/documents\$100.00
 14.105 Unauthorized acceptance by carrier of any wild mammal or bird for transport to the U.S..... \$500.00 +

14.106	Failure by carrier to require proper primary enclosures for transport to U.S.	\$500.00 +
14.107	Improper animal cargo space of a conveyance.....	\$500.00 +
14.108	Violation by carrier of food/water requirements.....	\$500.00 +
14.109(b)	Improper ambient air temperature and ventilation provided by holding area, transporting device, conveyance or terminal facility	\$500.00 +
14.110	Improper or lack of animal holding area.....	\$500.00 +
14.111	Violation of handling requirements.....	\$500.00 +
14.121 thru 14.172	Violation of primary enclosure specifications	\$500.00 +

PART 14 - CAPTIVE WILDLIFE SAFETY ACT

14.253	Import, export, transport, sell, receive, acquire, or purchase, in interstate or foreign commerce, any live prohibited wildlife species.....	\$1,500.00 +
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PART 15 - WILD BIRD CONSERVATION ACT

15.11(a)	Commit, attempt to commit...any acts in (b) thru (f).....	\$250.00 +
15.11(b)	Import any exotic bird species (CITES) that is not included in the approved list of species list.....	\$250.00 +
15.11(c)	Import any exotic bird species (non-CITES) that is listed in the prohibited species list.....	\$250.00 +
15.11(d)	Import any exotic bird species from a country on the prohibited country list.....	\$250.00 +
15.11(e)	Import any exotic bird species from a qualifying facility breeding birds in captivity if the exotic bird was not captive bred at the listed facility	\$250.00 +
15.11(f)	Violate conditions of a permit.....	\$250.00 +

PART 16 - INJURIOUS WILDLIFE

16.3	Unauthorized import or transport of wildlife deemed to be injurious. General restrictions.....	\$1,000.00 +
16.11	Injurious wild mammals.....	\$500.00 +
16.12	Injurious wild birds.....	\$500.00 +
16.13	Injurious fish, mollusks, crustaceans.....	\$500.00 +
16.14	Injurious amphibians.....	\$500.00 +
16.15	Injurious reptiles.....	\$500.00 +
16.22(b)(1)	Failure to properly confine injurious species.....	\$250.00 +
16.22(b)(2)	Transfer of injurious species to unauthorized person	\$250.00 +

PART 17 - ENDANGERED AND THREATENED WILDLIFE AND PLANTS

17.21 (a) thru (f)	Prohibitions, i.e., take, sale, etc., involving endangered wildlife.....	\$1,500.00 +
17.21 (g) thru (h)	Captive bred endangered wildlife violations.....	\$500.00 +
17.22 thru 17.23	Endangered species permit violations.....	\$350.00 +
17.31	Violate threatened wildlife prohibitions.....	\$1,500.00 +
17.32	Threatened species permit violations.....	\$350.00 +
17.40 thru 17.48	Violate special rules.....	\$350.00 +
17.61	Violation of Endangered plant regulations.....	\$1,000.00 +
17.62 & 17.63	Fail to comply with permit conditions.....	\$250.00
17.71	Violation of Threatened plant regulations.....	\$500.00 +
17.72	Fail to comply with permit conditions.....	\$250.00
17.82	Violation of general experimental regulations.....	\$1,000.00 +
17.84 thru 17.86	Violation of special rules.....	\$ 500.00 +

PART 18 - MARINE MAMMALS

18.11 (a) thru (b)	Unlawful take of marine mammal.....	\$500.00 +
18.12 (a) thru (d)	Unlawful import of marine mammals.....	\$500.00 +
18.13 (a) thru (d)	Unlawful port use, possess, transport, purchase, sale of any marine mammal or marine mammal product.....	\$500.00 +

PART 19 - AIRBORNE HUNTING

19.11(a)(1)	Shoot, or attempt to shoot, from an aircraft.....	\$1,000.00 +
19.11(a)(2)	Use aircraft to harass wildlife.....	\$500.00 +
19.11(a)(3)	Participate in using aircraft to shoot or harass wildlife.....	\$500.00 +
19.32(a)	Failure to file annual report.....	\$150.00

PART 20 - MIGRATORY BIRD HUNTING

20.20(b)	Failure to comply with requirements of Migratory Bird HIP program while hunting migratory game birds.....	\$100.00
20.21(a)	Take with illegal device or substance.....	\$250.00 +
20.21(b)	Take with shotgun capable of holding more than three (3) shell.....	\$150.00 +
20.21(c)	Take by means, aid or use of sink box.....	\$250.00 +
20.21(d)	Take from or by means, aid, or use of a motor driven conveyance, motor vehicle or aircraft.....	\$250.00 +
20.21(e)	Take by means of motorboat or other craft having motor attached and under power.....	\$250.00 +
20.21(f)	Take by use or aid of live decoys.....	\$500.00 +
20.21(g)	Take by use or aid of electronic/recorded calls.....	\$500.00 +

20.21(h)	Take by means or aid of motor driven conveyance for concentrating, driving, or rallying, or stirring up waterfowl	\$250.00 +
20.21(i)	Knowingly, or reasonably should have known, the take by aid of bait or on or over baited area	\$500.00 +
20.21(j)	Take while possessing shotshells loaded with shot other than approved non-toxic shot.....	\$200.00 +
	& forfeiture of shells	
20.22	Take during closed season.....	\$500.00 +
20.23	Take before/after legal shooting hours 1-15 min.....	\$150.00 +
	16-30 min	\$250.00 +
	30+ min	\$350.00 +
20.24	Take in excess of daily bag limit	\$500.00 +
20.25	Wanton waste of migratory game birds.....	\$250.00 +
20.31	Possession of birds taken in violation of 20.21~20.24.....	\$150.00 +
20.32	Possess freshly killed migratory birds during closed Season.....	\$500.00 +
20.33	Exceed possession limit of migratory birds taken in the U.S	\$350.00 +
20.34	Possess in excess of daily bag limit opening day	\$350.00 +
20.35	Possess or transport in excess of daily field possession limit.....	\$250.00 +
20.36	Violation of tagging regulations	\$150.00 +
20.37	Custody of untagged birds of another	\$150.00 +
20.38	Live wounded birds in possession	\$200.00 +
20.40	Receive, possess, give to another untagged birds.....	\$150.00 +
20.41	Transport birds taken in violation of 20.21~20.24	\$150.00 +
20.42	Transportation of untagged birds of another.....	\$150.00 +
20.43	Transport migratory game birds without species I.D.	\$150.00 +
20.44	Transport unmarked or improperly marked package containing migratory game birds via postal service or common carrier	\$200.00 per package
20.51	Export birds taken in violation of 20.12~20.24.....	\$350.00 +
20.52	Export birds with species I.D. removed.....	\$150.00 +
20.53	Export unmarked or improperly marked packages containing migratory birds as required	\$200.00 per package
20.61	Import migratory game birds in excess of legal limit.....	\$350.00 +
20.62	Import migratory game birds belonging to another	\$150.00 +
20.63	Import migratory game birds with species I.D. removed	\$150.00 +
20.64	Import, possess, transport birds killed in foreign country without required export permits.....	\$250.00 +
20.65	Import birds not drawn or dressed as required.....	\$150.00 +
20.66	Import unmarked or improperly marked packages containing migratory birds as required	\$200.00 per package
20.71	Take, possess, transport, or export migratory birds, their parts, nests, or eggs in violation of any other federal law or regulation.....	\$150.00 +
20.72	Take, possess, transport, or export migratory birds, their parts, nests, or eggs in violation of any other state law or regulation.....	\$150.00 +
20.73	Take, possess, transport, or export migratory birds, their parts, nests, or eggs if taken, bought, sold, transported, possessed, or exported contrary to any law or	

	regulation of any foreign country, state, or province thereof	\$250.00 +
20.81	Commercial facility with untagged migratory birds of another as required under 20.36.....	\$250.00 +
20.82	Violation of record keeping requirement.....	\$250.00
20.83	Failure to permit premise inspection.....	\$500.00
20.91(a)	Purchase, sell, barter, or offer thereof for millinery or ornamental use, the feathers of migratory game birds.....	\$250.00 +
20.91(b)	Purchase, sell, barter, or the offer thereof, mounted specimens taken by hunting	
20.100	Take migratory game birds for which no season has been established	\$500.00 +
20.133	Violation of crow hunting regulations.....	\$150.00 +

PART 21 - MIGRATORY BIRD PERMITS

21.11	Import, export, take, possess, transport, sell, purchase, barter, or offer any migratory bird, part, nest, or egg thereof without a permit.....	\$250.00 +
21.12 thru 21.27	Violations of other permit regulations.....	\$150.00 +
21.28(a)	Violation of Falconry Permit requirements.....	\$250.00 +
21.28(d)(1)	Take, possess, transport, golden eagle for falconry without permit.....	\$500.00 +
21.28(d)(3)	Unauthorized purchase, sale, or barter of raptor.....	\$500.00 +
21.29	Violation of Falconry Standards	\$250.00
21.29(e)(3)(v)	Unauthorized take of a threatened species.....	\$500.00 +
21.29(g)	Failure to comply with facility/equipment standards.....	\$250.00
21.29(i)	Unauthorized take of a raptor	\$350.00 +
21.29(j)	General violations of misc. falconry regulations	\$150.00 +value
21.29(j)(5)	Retain or exchange molted feathers for other than imping purposes.....	\$250.00 +
21.30	General violation of raptor propagation permit	\$250.00 +
21.30(a)	Take, possess, transport, sell, purchase, barter or transfer any raptor, raptor egg, or raptor semen, for propagation without authorization.....	\$350.00 +
21.30(d)(12)	Unauthorized hybridization of raptors	\$500.00
21.31	Violations of rehabilitation permits regulations.....	\$150.00 +
21.41 thru 21.51	Violation of depredating bird regulations.....	\$150.00 +

PART 22 - EAGLE PERMITS

22.11	Take, possess, or transport a bald or golden eagle.....	\$1,000.00 +
	or parts, nest or eggs thereof without a permit.....	\$500.00 +
22.12	Sell, purchase, trade, barter, export, import, or offer thereof any bald or golden eagle	\$1,000.00 +
	or parts, nests, or eggs thereof without a permit.....	\$500.00 +
22.21 thru 22.32	Violation of eagle permit requirements	\$ 250.00

PART 23 - ENDANGERED SPECIES CONVENTION (CITES)

23.13(a) thru (c)	Unlawfully import, export, re-export, or possess unlawfully imported exported, or re-exported: Appendix I wildlife or plant species.....\$500.00 + Appendix II wildlife or plant species.....\$350.00 + Appendix III wildlife or plant species.....\$250.00 +
23.13(d)	Attempt to commit, solicit another to commit,\$250.00 +

PART 24 - IMPORTATION AND EXPORTATION OF PLANTS

24.11	Import, export, re-export plants at non-designated port of entry.....\$250.00 +
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PART 25 - WILDLIFE REFUGE ACT, ADMINISTRATIVE PROVISIONS

25.42	Failure to display permit when requested\$150.00
25.55	Failure to produce a valid entrance permit.....\$ 50.00
25.72	Failure to report Accidents.....\$150.00

PART 26 - WILDLIFE REFUGES, PUBLIC ENTRY AND USE

26.21(a)	Trespass on National Wildlife Refuge (NWR) No recreational user permit.....\$100.00 Enter a closed area.....\$250.00
26.21(b)	Permit unconfined domestic animal to enter a NWR.....\$250.00 +
26.22(a)	Fail to comply with special regulations or other official notifications under 25.31.....\$100.00
26.22(b)	Fail to abide by terms and conditions of entry permit.....\$150.00
26.36	Public assembly/demonstration without a permit.....\$150.00

PART 27 - WILDLIFE REFUGES, PROHIBITED ACTS

27.21	Take any animal or plant without authorization.....\$250.00 +
27.31	Travel on other than a designated route of travel\$150.00
27.31(a)	Operate a vehicle in violation of state law.....\$150.00
27.31(b)	Operate a vehicle under the influence of drugs or Intoxicating beverage.....\$500.00 or Mandatory Appearance
27.31(c)	Operate a vehicle carelessly or heedlessly... \$250.00 or Mandatory Appearance
27.31(d)	Exceed 25 mph or posted speed limit: 1-10 mph over.....\$75.00 10-20 mph over.....\$100.00 20-30 mph over.....\$150.00

	31+ mph and over.....	\$250.00 or Mandatory Appearance
27.31(e)	Operate vehicle without a muffler/spark arrester.....	\$100.00
27.31(f)	Operate vehicle without license plate/registration.....	\$75.00
27.31(g)	Operate vehicle without a driver's license.....	\$150.00 or Mandatory Appearance
27.31(h)	Block road access for other vehicles.....	\$100.00
27.31(i)	Failure to obey orders of traffic control officer.....	\$250.00
27.31(j)	Operate over sized/over weight vehicle.....	\$150.00
27.31(k)	Moving of vehicle involved in accident.....	\$150.00
27.31(l)	Operate a vehicle without proper headlights, taillights, or brake lights.....	\$75.00
27.31(m)	Violation of other established special vehicle requirements.....	\$100.00
27.32(a)	Unauthorized use of a boat.....	\$200.00
27.32(b)(1)(i)	Operate boat in violation of either Coast Guard.....	\$100.00
27.32(b)(1)(ii)	Operate boat in violation of state law or reg.....	\$75.00
27.32(b)(2)	Operate boat in reckless/negligent manner.....	\$250.00 or Mandatory Appearance
27.32(b)(3)	Operate boat under influence of an intoxicant..	\$500.00 or Mandatory Appearance
27.32(b)(4)	Interfere with operation of other boats.....	\$100.00
27.32(b)(5)	Operate boat without proper marine head.....	\$350.00
27.32(b)(6)	Operate a sailboat without required lights.....	\$100.00
27.32(b)(7)	Leave boat unattended for 72 hours.....	\$100.00
27.32(b)(8)	Unauthorized use of government boat dock.....	\$150.00
27.33	Unauthorized waterskiing on NWR.....	\$100.00
27.34	Unauthorized operation of aircraft on/over NWR.....	\$250.00 or Mandatory Appearance
27.41	Carry, possess or discharge a firearm or discharge firearms or explosive.....	\$200.00 or Mandatory Appearance
	Carry, possess or discharge fireworks.....	\$75.00
27.42	Firearms; other violations.....	\$75.00
27.43	Use or possess weapons other than firearms.....	\$75.00
27.51	Disturb, injure, damage animals, etc., on NWR.....	\$200.00 +
	Disturb, injure, damage plants, etc., on NWR.....	\$150.00 +
27.52	Introduction of plants/animals on NWR.....	\$100.00 +
27.61	Destruction or removal of property from NWR.....	\$350.00 +
27.62	Search for objects of antiquity.....	\$150.00
	Remove objects of antiquity.....	\$250.00 +
27.63(a)	Unauthorized search for valued objects.....	\$200.00
27.63(b)	Conduct archaeological studies without permit.....	\$200.00
27.64	Unauthorized prospecting/mining on a NWR.....	\$500.00
27.65	Tamper with vehicles or equipment.....	\$200.00
27.71	Take or film motion pictures for commercial use.....	\$250.00 or Mandatory Appearance
27.72	Cause unreasonable disturbances with audio equipment.....	\$150.00
27.73	Use of artificial light to spot or locate wildlife.....	\$200.00
	Use of artificial light to take wildlife.....	\$500.00 +

27.81	Enter or remain on NWR under the influence of alcohol.....	\$250.00
27.82(b)(1)	Deliver controlled substance	\$500.00 or Mandatory Appearance
27.82(b)(2)	Possess controlled substance on a NWR	\$500.00
27.82(b)(3)	Under influence of a controlled substance.....	\$250.00
27.83	Indecency or disorderly conduct.....	\$500.00 or Mandatory Appearance
27.84	Interference with persons engaging in authorized activity	\$350.00
27.85	Gambling on NWR	\$100.00
27.86	Begging or soliciting.....	\$100.00
27.91	Conducting field trials.....	\$150.00
27.92	Conduct, install, occupy private structure.....	\$250.00
27.93	Abandon private property	\$250.00
27.94	Simple littering on a NWR	\$100.00
	Dumping refuse or waste	\$500.00
	Depositing environmental contaminants.....	\$2,500.00
27.95(a)	Setting unauthorized fire.....	\$500.00
	Setting unauthorized campfire	\$100.00
27.95(b)	Leaving fire unattended	\$100.00
27.95(c)	Throw burning cigarette, match, etc. where it may start a fire.....	\$100.00
27.95(d)	Smoking violation.....	\$100.00
27.96	Unauthorized advertising	\$200.00
27.97	Soliciting business or conducting commercial Operation.....	\$350.00 or Mandatory Appearance

PART 31 - WILDLIFE REFUGES, WILDLIFE SPECIES MANAGEMENT

31.13	No refuge commercial fishing permit.....	\$250.00 +
31.16	Violation of federal trapping permit regulations, state trapping laws, or other special trapping laws, or special trapping regulations	
	Violate state law.....	\$150.00 +
	Violate permit conditions, etc.....	\$150.00 +
	Failure to inspect traps.....	\$150.00 +
	Unlawful sets; unlawful equipment.....	\$200.00 +
	Animal unlawfully trapped.....	\$150.00 +

PART 32 - WILDLIFE REFUGES, HUNTING AND FISHING

32.2(a)	Hunt without a state license.....	\$75.00 +
32.2(b)	Hunt without a migratory waterfowl stamp.....	\$150.00 +
32.2(c)	Hunt in violation of federal law.....	\$150.00 +
32.2(d)	Hunt in violation of state law.....	\$150.00 +
32.2(e)	Hunt in violation of special access requirements.....	\$150.00 +
32.2(f)	Failure to comply with special regulations.....	\$150.00
32.2(g)	Bow hunt with any drug on an arrow.....	\$350.00 +
32.2(h)	Distribution of bait and hunting over bait on NWR.....	\$500.00 +

32.2(i)	Use of nails, wire, screws or bolts to attach a tree stand to a tree, or hunt from a tree in which a metal object has been driven.....	\$150.00
32.2(j)	Use or possession of alcohol while hunting.....	\$200.00
32.2(k)	Possession of toxic shot while hunting.....	\$200.00 +
32.5(a)	Fish without a state license.....	\$75.00 +
32.5(b)	Fish in violation of other Federal laws & regulations.....	\$150.00 +
32.5(c)	Failure to comply with State law.....	\$150.00 +
32.5(d)	Failure to comply with terms and conditions authorizing or use of refuge area.....	\$150.00 +
32.5(e)	Failure to comply with refuge specific fishing regulations.....	\$75.00 +

WILDLIFE/PROPERTY FORFEITURE ORDER

Unless otherwise specifically ordered by a United States Court, any wildlife or property which has been seized under the authority of the Migratory Bird Treaty Act, 16 U.S.C. §§ 703-711; the National Wildlife Refuge Systems Administrative Act, 16 U.S.C. §§ 721-731; The Eagle Protection Act, 16 U.S.C. §§ 668668e; The Endangered Species Act, 16 U.S.C. §§ 1531-1542; The Migratory Waterfowl Hunting Stamp Act, 16 U.S.C. §§ 718-718i; The Airborne Hunting Act, 16 U.S.C. § 742j-1; The Marine Mammal Protection Act, 16 U.S.C. §§ 1361-1407; The Tariff Classification Act, 19 U.S.C. § 1202; The Lacey Act, 18 U.S.C. § 42; The Lacey Act Amendments, 16 U.S.C. §§ 3371-3378; The American Antiquities Act, 16 U.S.C. § 433; The African Elephant Conservation Act, 16 U.S.C. §§ 4201-4245; The Archeological Resources Protection Act, 16 U.S.C. § 470aa et seq.; and The Wild Bird Conservation Act, 16 U.S.C. §§ 4901-4916, where in the final disposition of the case has been made by either payment of a forfeiture of collateral or a judgment by the Court on behalf of the government and where so authorized by statute, such wildlife or property shall be forfeited to the United States Government and disposed of by the United States Fish and Wildlife Service in the manner prescribed by Title 50, Code of Federal Regulations, Part 12.

MANDATORY COURT APPEARANCES OR ARRESTS

Recognizing the concern of the United States Fish and Wildlife Service regarding recidivists and aggravated offenses, it is herein provided that if, within the discretion of the law enforcement officer, the offense is of an aggravated nature, the law enforcement officer, notwithstanding the preceding Forfeiture of Collateral Schedule, may require mandatory appearance before the presiding United States Magistrate Judge. Nothing herein shall prohibit the law enforcement officer from arresting a person for the commission of any offense including those for which collateral may be posted and forfeited and taking said person immediately before a United States Magistrate Judge.

FISH, WILDLIFE & PLANT VALUATION TABLE

Replacement values may be added to the collateral amounts per officer discretion. Values shall be assessed on a per capita basis (*i.e.*, separate value added for each fish, wildlife and plant species possessed, transported, killed, etc., in violation of the law).

In cases where the replacement values noted in the table are lower than the declared value of the item, the higher of the two values shall be used.

<u>CATEGORY</u>	<u>SPECIES</u>	<u>VALUE</u>	
Big Game Mammal	Elk (5x5).....	\$3,500.00	
	(6x6 or larger).....	\$7,500.00	
	Deer (Boone & Crocket Typical (T), Non-Typical (NT)		
	Score 200+T or 240+ NT (green score).....	\$7,500.00	
	Score 175-199T or 200-239 NT (green).....	\$5,000.00	
	Score 150-174T or 175-199 NT (green).....	\$2,500.00	
	Score 125-149T or 125-174 NT (green).....	\$1,500.00	
	Deer/Elk (antlered).....	\$1,000.00	
	Moose/Caribou.....	\$2,500.00	
	Deer/Moose/Caribou/Elk (antlerless).....	\$500.00	
	Sheep (North American).....	\$5,000.00	
	Mt. goat/Pronghorn antelope.....	\$1,000.00	
	Polar bear/Brown bear.....	\$5,000.00	
	Black bear.....	\$1,500.00	
	Mt. lion/cougar/puma.....	\$2,000.00	
	Wolf.....	\$1,000.00	
	Bison/Musk Ox.....	\$1,000.00	
	North American big game (misc).....	\$500.00	
	Parts/Products:		
		Gall bladders.....	\$ 250.00 each
	Antlers/Horns/Skulls (above listed or each).....	\$250.00	
	Claws/teeth.....	\$ 25.00 each	
	Misc.....	\$100.00	
Small Game Mammal	Woodchuck, Gray & Fox squirrel, rabbits, and all other as defined.....	\$50.00	
Fur Bearing Animal	Otter	\$250.00	
	Feline family (i.e. bobcat/lynx).....	\$250.00	
	Canine family (i.e. coyote, fox).....	\$100.00	
	Badger.....	\$100.00	
	Weasels.....	\$ 50.00	
	Procyon/Mustelid family (raccoon/muskrat).....	\$ 50.00	
	All other by definition.....	\$ 50.00	
Exotic Animals	(May use ESA/CITES amounts in lieu):		
	Tiger/Leopard/Jaguar/etc.	\$3,500.00	
	Elephant/Rhino	\$3,500.00	
	Lion/Cape Buffalo/Hippo.....	\$3,000.00	
	Spiral horned antelopes (kudu, eland, nyala).....	\$2,500.00	
	Kudu/Gemsbok/Oryx.....	\$2,500.00	
Smaller antelope species (duiker, impala, etc.).....	\$1,000.00		

	Sheep/Goats (argali, ibex, tur, snow, ural, etc)).....	\$3,500.00
	Deer (red, wapiti, barasingha, muntjac, etc).....	\$1,000.00
	Bear (worldwide).....	\$3,500.00
	Primates.....	\$1,000.00
	All other Exotic animals except those listed.....	\$500.00
	Parts/Products:	
	Gall bladders.....	\$ 250.00 each
	Antlers/Horns/Skulls (as above or each).....	\$500.00
	Claws/teeth.....	\$ 25.00 each
	Misc.....	\$100.00
Non-game Animals	All others by definition except those listed.....	\$500.00
	Flying squirrel.....	\$150.00
	Red squirrel.....	\$100.00
	Bats.....	\$100.00
Endangered Wildlife	ESA Part 17 Species.....	\$3,500.00
	State listed endangered species.....	\$ 1,000.00 minimum
	Part 23 CITES Species (including parts and products):	
	CITES Appendix I.....	\$3,500.00
	CITES Appendix II.....	\$1,000.00
	CITES Appendix III.....	\$500.00
Threatened Wildlife	ESA Part 17 Species.....	\$2,500.00
	State listed threatened/protected species.....	\$500.00 minimum
Marine Mammal	All species.....	\$2,500.00
	Parts/Curios.....	\$250.00 per item with a \$500.00 minimum
Migratory Game Birds		
	Tundra swans.....	\$1,000.00
	Cranes.....	\$1,000.00
	Geese.....	\$100.00
	Ducks.....	\$100.00
	Doves.....	\$50.00
	All others.....	\$50.00
	feathers/parts.....	\$25.00 per item with \$100.00 minimum
Non-game Migratory Birds		
	Whooping Crane (also see ESA).....	\$3,500.00
	Swans (all species except those listed).....	\$1,500.00
	Eagles.....	\$1,500.00
	feathers/talons/parts.....	\$150.00 per with \$200.00 minimum
	Hawks/Owls.....	\$ 350.00
	feathers/parts.....	,\$100.00 per item with \$200.00 minimum

	Wading birds (herons, egrets, etc.).....	\$ 350.00
	feathers/parts.....	\$25.00 per item with \$100.00 minimum
	All others (songbirds, etc.).....	\$ 250.00
	feathers/parts.....	\$25.00 per item with \$100.00 minimum
Other Birds	Mute swans	\$100.00
	Turkey.....	\$500.00
	Grouse/Prairie Chicken.....	\$100.00
	All other (quail, pheasant, etc.).....	\$50.00
	Parts/Products (per item).....	\$10.00
Pscitticines	Macaws/Cockatoos.....	\$1,500.00
	Parrots.....	\$1,000.00
	Finches.....	\$150.00
	All Others.....	\$100.00
	Parts/Products (per item).....	\$50.00
	Or see ESA/CITES	
Game Fish	By definition.....	\$50.00/lb or \$25 per item
	(i.e. trout, salmon, walleye, bass, pike)	
Sport Fish	By definition.....	\$25.00/lb or \$10 per item
	(i.e. panfish, catfish, etc.)	
Other Fish	Paddlefish/Sturgeon.....	\$400.00
	Eggs/Roe/Processed or Unprocessed.....	\$400.00 per lb. or per can/package*
	*Or declared value of items, whichever is higher	
Rough Fish	By definition.....	\$10.00/lb or \$5 per item
	(i.e. carp, sucker, shad, etc.)	
Bait Fish	By definition.....	\$10.00/lb or declared value
Tropical Fish	All.....	\$15.00 or declared value
Aquatic Life	Reptiles (Turtles/Snakes/Lizards).....	\$100.00*
	Parts/Products.....	\$50.00*
	Amphibians.....	\$50.00*
	Mollusks (mussels).....	\$25.00*
	Corals.....	\$50.00*
	*or declared value, whichever is higher, or see ESA/CITES	
Insects	Butterflies.....	\$25.00*
	Arachnids.....	\$25.00*
	All others.....	\$15.00*
	*or declared value, whichever is higher, or see ESA/CITES	

Trees	Greater than 10 years in age.....	\$500.00
	Less than 10 years of age.....	\$100.00
Bushes/Shrubs	All.....	\$100.00
Sedges/Grasses	All.....	\$10.00/sq. ft.
Orchids	All.....	\$100.00*
	* or declared value, or see ESA/CITES	
Other Plants	Ginseng (per plant or root).....	\$5.00* or \$350.00/lb
	Goldenseal (per plant or root).....	\$5.00* or \$50.00/lb
	All other (per plant/root/etc.).....	\$5.00* or \$35.00/lb.
	*or declared value, whichever is higher for all above or see ESA/CITES	
Archeological resources		
	Human remains.....	\$2,500.00* per item
	All.....	\$250.00*
	*or declared value whichever is higher	